



# **GAMING MACHINES (GAMING TAX) AMENDMENT ACT 1998**

**No. 38 of 1998**

## **SUMMARY OF PROVISIONS**

1. Short title
2. Amendment of section 72A—Tax system operable from beginning of 1996/1997 financial year



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A.D. 1998

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No. 38 of 1998

An Act to amend the Gaming Machines Act 1992.

[Assented to 30 July 1998]

The Parliament of South Australia enacts as follows:

## Short title

1. (1) This Act may be cited as the *Gaming Machines (Gaming Tax) Amendment Act 1998*.

(2) The *Gaming Machines Act 1992* is referred to in this Act as "the principal Act".

## Amendment of section 72A—Tax system operable from beginning of 1996/1997 financial year

2. Section 72A of the principal Act is amended—

(a) by inserting in subsection (6) after the definition of "net gambling revenue" the following definition:

"non-profit business" means a business carried out pursuant to a gaming machine licence held by or on behalf of a body corporate or association, where the Minister is satisfied that the profits of the business cannot be returned to the members or shareholders of the body corporate or association;;

(b) by striking out from paragraph (b) of the definition of "prescribed percentage" in subsection (6) "each successive" and substituting "the 1997/1998";

(c) by inserting after paragraph (b) of the definition of "prescribed percentage" in subsection (6) the following paragraph:

(c) in respect of the 1998/1999 financial year and each successive financial year—

- (i) in the case of a non-profit business—an amount calculated in accordance with the following formula:

<i>Tax Threshold</i>	<i>Tax Rate</i>
For an annual NGR of \$399 000 or less . . . . .	30% of NGR
For an annual NGR of more than \$399 000 but equal to or less than \$945 000 . . . . .	\$119 700 plus 35% of the excess NGR over \$399 000
For an annual NGR of more than \$945 000 . . . . .	\$310 800 plus 40% of the excess NGR over \$945 000;

- (ii) in any other case—an amount calculated in accordance with the following formula:

<i>Tax Threshold</i>	<i>Tax Rate</i>
For an annual NGR of \$399 000 or less . . . . .	35% of NGR
For an annual NGR of more than \$399 000 but equal to or less than \$945 000 . . . . .	\$139 650 plus 43.5% of the excess NGR over \$399 000
For an annual NGR of more than \$945 000 . . . . .	\$377 160 plus 50% of the excess NGR over \$945 000.;

- (d) by inserting after subsection (9) the following subsection:

(10) The surcharge imposed by the Minister pursuant to subsection (8) (see *Gazette* 7 August 1997 p. 300) continues in force in accordance with subsection (9), but, for the 1998/1999 financial year or any successive financial year, is to be taken to be imposed on the tax rate percentages applicable to the particular year.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

E. J. NEAL Governor